

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

ELISTON F. GEORGE, II,
Plaintiff,

v.

Y. TAYLOR, *et al.*,
Defendants.

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Civil Action No. 7:15cv00320

ORDER

By: Norman K. Moon
United States District Judge

This matter is before me on defendants' motion to dismiss and George's motion to amend. Having considered the motions, I will grant the motion to amend and dismiss the motion to dismiss without prejudice.

In his motion to amend, George adds additional facts in support of his claims. Pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, a party may amend its pleading with the court's leave and the "court should freely give leave when justice so requires." Finding it in the interest of justice, it is hereby **ORDERED** that George's motion to amend (Docket No. 20) is **GRANTED**. Because the complaint as amended may change the arguments presented in defendants' motion, it is further ordered that defendants' motion to dismiss (Docket No. 15) is **DISMISSED without prejudice**. Pursuant to Standing Order No. 2013-6, the defendants shall **FILE** a motion for summary judgment within thirty days of the entry of this order, addressing George's claims as raised in his amended complaint.

The Clerk of the Court is directed to send a copy of this Order to plaintiff.

ENTER: This 14th day of March, 2016.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE